

**ORIGINAL**

<b>Call to Order, Pledge of Allegiance, Invocation, Roll Call</b>	7:00 p.m.
<b>Committee Reports</b>	
Ms. Wright gave the Finance Committee report. Mr. Leighan gave the Governmental Affairs report.	
<b>Approval of Minutes</b>	
Minutes of April 8 Meeting	Approved
Minutes of April 15 Work Session	Approved
<b>Consent Agenda</b>	
A. Approval of April 22, 2002 claims in the amount of \$712,127.23, paid by check numbers 65746-66038	Approved
B. Authorize Mayor to sign Cooperative Agreement with WSDOT & Community Transit for Ash Avenue Park & Ride, Project #T9805	Approved
C. Authorize Mayor to sign General Construction Agreement for transfer of funds with WSDOT for Ash Avenue Park & Ride, Project #T9805	Approved
D. Professional Services Agreement with Pharos Corporation; State Avenue Road Improvement Project; Estate Acquisition Services	Continued to May 6
E. Authorize Mayor to sign annual maintenance contract for Telemetry & SCADA system with Systems Interface, Inc.	Approved
F. Authorize Mayor to sign Interlocal Joint Purchasing Agreement with the city of Oak Harbor	Approved
G. Authorize Mayor to sign Amendment to WSDOT Haul Road Detour Agreement, Steamboat Slough Bridge Rehabilitation	Approved
<b>Public Hearings</b>	
Street Vacation; James & Pamela Seaver; PA 0202007	Approved
Zoning Code Amendments; PA 0112047	Continued to May 6
<b>Executive Session</b>	
The Council held an Executive Session from 9:05 p.m. until 9:25 p.m.	
<b>Return to Regular Session &amp; Action</b>	
Authorize Mayor to sign Professional Service Agreement as discussed in Executive Session.	
<b>Adjournment</b>	
The meeting adjourned at 9:27 p.m.	

**Call to Order/Pledge of Allegiance/Invocation**

Mayor Weiser called the meeting to order at 7:00 p.m. and led the assembly in the pledge to the flag. Pastor Mike Villamor gave the invocation.

**Roll Call**

Ms. Swenson called the roll. The following were

**Present:** Mayor David Weiser, Mayor Pro Tem Mike Leighan, Councilmembers Suzanne Smith, Donna Wright, Jeff Seibert, Jon Nehring, John Soriano, Lisa Vares.

**Also Present:** Chief Administrative Officer, Mary Swenson; City Attorney, Grant Weed; Police Chief Bob Carden; Finance Director, Sandy Langdon; Planning Director, Gloria Hirashima; Senior Planner, Cheryl Dungan; Public Works Superintendent, Larry Larson; City Engineer, Robin Nelson; Community Information Officer, Doug Buell; Recording Secretary, Roberta Stevens.

**Committee Reports**

Ms. Wright reported that the Finance Committee met this week and also met the new Utility Billing Supervisor, Shari Akramoff. They also discussed the new billing software, the reorganization of office space, bond capacity, the golf course and restaurant. She indicated that Mr. Nehring is the Hotel/Motel Tax Committee representative.

Mr. Leighan reported that the Governmental Affairs committee met with the City of Arlington Governmental Affairs committee today and a July 30 meeting has been scheduled, he said that storm water was the main topic of discussion.

**Approval of Minutes**

**A. April 8, 2002 City Council Meeting**

**MOTION** by Mr. Leighan, second by Ms. Smith to approve the April 8 minutes as submitted. **MOTION** passed unanimously.

**B. April 15, 2002 City Council Work Session**

**MOTION** by Mr. Leighan, second by Ms. Vares to approve the April 15 minutes as submitted. **MOTION** passed unanimously.

Consent Agenda

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- A. Approval of April 22, 2002 Claims in the Amount of \$712,127.23; Paid by Check Nos. 65746 through 66038.
- B. Authorize Mayor to Sign Cooperative Agreement with WSDOT & Community Transit; Ash Avenue Park & Ride Project #T9805; Subject to Approval by the City Engineer & City Attorney.
- C. Authorize Mayor to Sign GC Agreement for Transfer of Funds with WSDOT; Ash Avenue Park & Ride; Project #T9805; Subject to Approval by the City Engineer & City Attorney.
- E. Authorize the Mayor to Sign Annual Maintenance Contract for Telemetry & SCADA System; Systems Interface, Inc.
- F. Authorize Mayor to Sign Interlocal Joint Purchasing Agreement with the City of Oak Harbor.
- G. Authorize Mayor to Sign Amendment to WSDOT Haul Road Detour Agreement as Outlined in the Agenda Bill & Subject to Final Approval by City Engineer & City Attorney; Steamboat Slough Bridge Rehabilitation.

Mayor Weiser said that consent agenda item D was removed from the agenda and will be rescheduled for May 6 meeting agenda.

**MOTION** by Ms. Wright, second by Mr. Leighan to approve the consent agenda items A, B, C, E, F, and G. **MOTION** passed unanimously.

Public Hearings

- A. Street Vacation; James & Pamela Seaver; PA 0202007

*Mayor Weiser turned the meeting over to Mayor Pro Tem Leighan because of a conflict of interest and left the Council Chambers.*

Ms. Hirashima and Mr. Nelson summarized this item. Staff had reviewed the boundary with the City Attorney who advised that Council can adjust the boundary, but they are not required to adjust it.

Mr. Jim Seaver, 7007 58<sup>th</sup> Dr. NE, Marysville, spoke regarding the street vacation for which he is applying. He explained that he originally asked for a straight line between lots 12 & 13 and 4 & 5; however, it was Planning and Engineering staff that required he use the angled line.

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A discussion of the right-of-way in question took place, with Council asking questions of staff and Mr. Seaver. Mr. Seaver said he was told initially that the compensation would be 50% of assessed value and only last Thursday was told that it would be 100%.

It was a consensus of the Council that the charge for this right-of-way be the original quote of 50% of assessed value. The Council decision was based on his original quote and the fact that this is the first street vacation that has taken place since the new ordinance requiring 100% was passed in December 2001.

After debate a **MOTION** by Mr. Seibert, second by Mr. Nehring to draw the lines straight between lot 12 & 13 and 4 & 5 and charge half of the assessed value of the revised right of way boundary. **MOTION** carried unanimously.

*Mayor Weiser returned to the meeting and assumed the chair.*

### **B. Zoning Code Amendments; PA 0112047**

Ms. Hirashima and Ms. Dungan reviewed the proposed changes. A lengthy discussion took place on the proposed changes with a background on the Planning Commission's concerns.

**Gary Petershagen, 1106 Columbia, Suite 125, Marysville**, spoke indicating that the fencing requirements in the new code raise more questions than the current requirement. He asked Council to consider who pays for the maintenance of the fencing. He suggested that the language remain the way it is currently.

**MOTION** by Mr. Seibert, second by Ms. Smith to direct staff to come back with written changes for the fencing issue, front/back yard issue, 40% coverage, condos, having a variation from building to building, and the curbing around the garbage receptacles. Staff will bring back the changes at the next work session and continue the public hearing at that time. **MOTION** passed unanimously.

### **Information Items**

### **Mayor's Business**

Mayor Weiser reminded the Council of the 5:30 p.m. dinner meeting at Fanny's Restaurant with legislators on April 23. He also reminded the Council of the Volunteer Appreciation Reception at Ken Baxter Senior/Community Center on April 25 at 6 p.m., and the April 29 joint meeting at 6:30 p.m. with the Marysville School Board at the School Boardroom.

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**Staff Business**

Chief Carden said that his staff had a very good retreat. He announced that Jeff Burkholder will be graduating from Custody Academy Friday, April 26.

Ms. Swenson mentioned the Volunteer Appreciation Reception on April 25.

Mr. Weed said he recently met with some other municipal attorneys and the petition by annexation issue was discussed. He advised that he will be gone Wednesday, Thursday and Friday attending the Washington Association of Municipal Attorneys Conference, and a significant portion of that meeting will be discussion of the petition annexation method.

Mr. Nelson said that Public Works committee packets were being mailed out with some questions that need to be answered and returned as quickly as possible.

**Call on Councilmembers.**

Ms. Smith mentioned a letter she received from Ernie Tyler expressing the opinion that if the Council/Manager form of government passed it might be better to postpone hiring a Public Works Director. Mayor Weiser said that the City has too much money and too many projects pending to delay hiring a Director for that length of time. Ms. Smith asked if the annexation meeting with citizens involved in the Grimm Annexation was canceled, Ms. Hirashima said it was and the citizens had been notified. Ms. Smith then referred to the letter Miss Kelsey Simpson wrote regarding the renovation for old Kellog Marsh elementary school, and inquired as to who owned the property and the feasibility of renovating the old school. Mayor Weiser said the last he heard Herm & Helen Mount are the owners of that property, and several years ago it was determined that the school was in a very bad state of repair. Ms. Smith asked about the Doleshel tree farm purchase and was advised that was being done by Snohomish County. Ms. Swenson volunteered to have staff look into this and report back.

Mr. Soriano said he brought the hand-outs that he mentioned at the last meeting and if the Councilmembers were interested, they were available.

Mr. Seibert asked the time for the last Tuesday of July meeting with Arlington, Mr. Leighan said none had been set yet, but it will probably be in Arlington in the evening. Mr. Seibert asked when the Council would receive the estimate of the costs associated with the special election for Mayor/Manager form of government and transition costs. Ms. Swenson said she has staff compiling those costs now and the council will receive the information within the next few weeks.

**MOTION** by Mr. Seibert, second by Ms. Smith to have placed on the agenda the possibility of the City codifying the street vacation rules. Mr. Weed said that may

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present problems and indicated that he would bring the state statute and applicable court cases to the May 6 work session for the Council to discuss.

Mr. Leighan reminded the Council that the AWC public meetings and disclosure seminar will be in Mt. Vernon 9:00 a.m. to 12:30 p.m. on May 8 and urged everyone to make an effort to attend.

**Executive Session**

The Council held an Executive Session from 9:05 p.m. until 9:25 p.m.

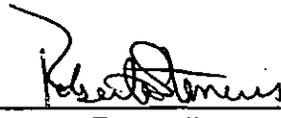
**Adjournment**

The Council resumed regular session. **MOTION** by Mr. Leighan, second by Mr. Nehring to authorize the Mayor to sign the Professional Services Agreement as discussed in the Executive Session. **MOTION** passed unanimously. The meeting adjourned at 9:27 p.m.

Approved this 13<sup>th</sup> day of May 2002.

  
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Mayor

  
\_\_\_\_\_  
City Clerk

  
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Recording Secretary

**ORIGINAL**

### Call to Order/Pledge of Allegiance/Invocation

Mayor Weiser called the meeting to order at 7:00 p.m. and led the assembly in the pledge to the flag. The Reverend Alicia Grace gave the invocation.

### Roll Call

Ms. Swenson called the roll. The following were

**Present:** Mayor David Weiser, Mayor Pro Tem Mike Leighan, Councilmembers Suzanne Smith, Donna Wright, Jeff Seibert, Jon Nehring, John Soriano, Lisa Vares.

**Also Present:** Chief Administrative Officer, Mary Swenson; City Attorney, Grant Weed; Finance Director, Sandy Langdon; Planning Director, Gloria Hirashima; Senior Planner, Cheryl Dungan; Public Works Superintendent, Larry Larson; Assistant City Engineer, Jeff Massie; Recording Secretary, Roberta Stevens

### Executive Session

The Council held an Executive Session from 7:04 p.m. until 7:15 p.m.

### Committee Reports

Mr. Nehring gave the Library Board report. Ms. Smith gave the Park Advisory Board report. Mayor Weiser commented on the Ordinance for 1% of construction costs being dedicated to art work. The response to the call for interested persons to serve on the Arts Commission was gratifying.

### Discussion Items

#### **Petition to Change City of Marysville's Form of Government.**

Mr. Weed went over the RCWs that govern the special election on the mayor versus manager form of government. The list of possible dates for the special election was given. Ms. Langdon reported that the cost of the election would run anywhere from \$ .50 to \$10.00 per voter. Mr. Weed advised that a majority of voters in the special election would determine the outcome. The necessary steps in the event the manager form of government is successful were outlined. Ms. Vares asked staff to prepare information on the transitional costs if the manager form of government passes. Personnel responsibilities of a city manager were provided by Mr. Weed. A general discussion ensued with Mr. Weed pointing out that no city funds or time could be expended on promoting

either side of the election. He also indicated the Council as a group could pass a resolution on their position, and could also provide an impact statement.

### Consent Agenda

**A. Approval of April 22, 2002 Claims.**

**B. Authorize Mayor to Sign Cooperative Agreement with WSDOT and Community Transit; Ash Avenue Park & Ride Project #T9805.**

Mr. Massie gave an overview of this rough draft. When the Attorney General's office signs the agreement, because of the time constraints, the Mayor should be authorized to sign the agreement without returning to the City Council. Community Transit has already authorized their director to sign the agreement when the Attorney General approves it.

**C. Authorize Mayor to Sign General Construction Agreement for Transfer of Funds with WSDOT; Ash Avenue Park & Ride; Project No. T9805.**

Mr. Massie explained the shortfall and that the money would be taken from the State Avenue Improvement from 116<sup>th</sup> Street to 136<sup>th</sup> Street Project funds, as they will not be needed this year; however they will have to be re-budgeted in the 2003 budget. Mr. Massie said he would resubmit the agenda bill with the correction on the amount of the transfer.

**D. Authorize Mayor to Sign Professional Services Agreement with Pharos Corporation; State Avenue Road Improvement Project; Estate Acquisition Services.**

A short question and answer session on this agreement was held.

**E. Authorize Mayor to Sign Annual Maintenance Contract for Telemetry and SCADA System; Systems Interface, Inc.**

**F. Authorize Mayor to Sign Interlocal Joint Purchasing Agreement with City of Oak Harbor.**

Mr. Seibert asked why the City was switching brands of trucks. Mr. Massie explained that the current trucks are made in Texas and at the time of purchase were the only ones that had the low entry cabs. Now the Peterbuilts that are made in Tacoma have that feature.

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**Public Hearings**

**A. Street Vacation; James & Pamela Seaver; PA 0202007.**

Mr. Seibert asked that the vacation be changed to half of the street. Mr. Soriano asked about the full market value of this property. He was advised that the impact fees would go to open spaces or parks.

**B. Zoning Code Amendments; PA 0112047.**

Ms. Dungan furnished a supplement to the Councilmembers with a corrected map. Mr. Toyer distributed his letter representing the Washington Master Builders Association for this agenda item.

**Information Items**

**Mayor's Business**

Mayor Weiser presented Ms. Wright with a certificate from the Marysville Globe as the winner of the "2002 Favorite Politician" survey.

**Staff Business**

Ms. Swenson distributed the letter from the Marysville/Tulalip Chamber of Commerce and a discussion followed. Ms. Swenson said that the Snohomish Visitor Bureau was going to relocate in Stanwood. Mr. Leighan inquired about the kiosk that the Strawberry Festival was supposed to maintain at the Caboose with Marysville brochures. He was under the impression that a separate small kiosk would be built, in addition to the brochures in the Caboose itself.

Mr. Weed announced that the BNSF 156<sup>th</sup> Street grade crossing has been ordered. The BNSF reached an agreement with Snohomish County for \$400,000.00 in mitigation fees for the closure. He also announced that Kimberly Clark has signed the outfall agreement and that project is moving forward.

Ms. Langdon reminded the Councilmembers that the Finance Committee meeting was Wednesday at 3:00 p.m. at City Hall.

Ms. Swenson reported that she will be on vacation for a few days.

Mr. Larson said that the bi-annual flushing of the State Avenue water mains will take place from 10:00 p.m. until 6:30 a.m. Sunday through Fridays.

Mr. Massie reported that he will be adding an agenda bill for the DOT SR529 detour, and the Columbia and 4<sup>th</sup> Street parking will be eliminated. Mr. Massie was reminded to notify the residents a few days in advance.

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**Call on Councilmembers**

Mr. Nehring referred to the Snohomish County survey that was in the Sunday Herald, and said that extra copies were available at the Herald office.

Ms. Vares said she has completed her meetings with all of the department heads and appreciated their help.

Ms. Wright announced that this is National Public Health Awareness Week.

Mr. Soriano reported that Kris Passey had a report on the local economy that Mr. Soriano would make available for the rest of the Councilmembers.

**MOTION** by Ms. Wright, second by Mr. Nehring to extend the meeting until 10:00 p.m. **MOTION** passed 6-1 with Mr. Leighan opposed.

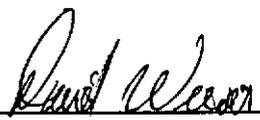
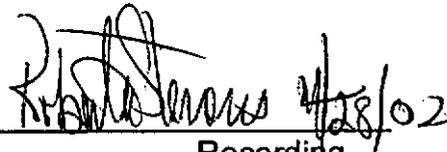
**Executive Session**

The Council held an Executive Session from 9:30 p.m. until 10:00 p.m.

**Adjournment**

The meeting adjourned at 10:00 p.m.

Approved this 22nd day of April 2002

		
_____ Mayor	_____ City Clerk	_____ Recording Secretary